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Revised: September 5, 2000

MEMORANDUM

TO: All Local Health Departments
Attn.: Health Officer/Director of Environmental Health/Chief Sanitarian

FROM: Food Service Sanitation Section
Food and Dairy Division

SUBJECT: **Change in the Model Enforcement Procedures**

Background

The *Model Food Protection Program Enforcement Procedures* document is provided by the MDA Food Service Sanitation Section to assist local health departments in developing their policy and procedures for enforcement of requirements of the food service sanitation program. This model divides critical items into "class 1" and "class 2" violations, using the 44-item categories of the food service inspection cover sheet.

Purpose

The purpose of this memorandum is to update the model to be consistent with the 1999 Food Code. The entire *Model Food Protection Program Enforcement Procedures* will be revised and republished at a future date. This memorandum notifies you of the substantive change to the model effective on November 8, 2000.

New Definitions

To be consistent with the 1999 Food Code, the following changes are being made in the definitions of the *Model Food Protection Program Enforcement Procedures*:

"*Critical Item*" means a provision of the Food Code that, if in noncompliance, is more likely than other violations to contribute to food contamination, illness, or an environmental health hazard. The 1999 Food Code identifies 108 sections as being critical items.

"*Class 1 Critical Item Violation*" means a violation that the permit holder shall correct at the time of inspection [Food Code § 8-405.11(A)].

“Class 2 Critical Item Violation” means a critical violation that, considering the nature of the potential hazard involved and the complexity of the corrective action needed, the regulatory authority specifies a longer time frame for correction, not to exceed 10 calendar days after the inspection [Food Code § 8-405.11(B)].

Significance of the Changes

The significance of this change is the Class 1 and Class 2 violations are no longer distinguished by rote categorization. Separation into Class 1 and Class 2 is made according to the professional judgment of the inspector based upon the individual circumstances.

NDF:khg

cc: MDA Food Program Managers